

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ESTATE OF JAMES C. WYATT, II, and.
LAYDELL WYATT,

Plaintiffs,

Case Number 09-14919
Honorable David M. Lawson
Magistrate Judge Michael J. Hluchaniuk

v.

WAMU/JP MORGAN CHASE BANK,
PATHWAY FINANCIAL, and TROTT
AND TROTT, P.C.,

Defendants.

**ORDER WITHDRAWING FULL CASE REFERENCE, DENYING PLAINTIFFS’
MOTION TO TRANSFER CASE, AND REINSTATING REFERENCE**

On May 4, 2012, the plaintiffs filed a motion requesting that the Court transfer a pending action in the Wayne County Circuit Court to this Court for pretrial proceedings. The Court is without authority to order a state court to transfer a case this Court. *See Syngenta Crop Protection, Inc. v. Henson*, 537 U.S. 28 (2002) (“The right of removal is entirely a creature of statute and a suit commenced in state court must remain there until cause is shown for its transfer under some act of Congress.” (internal quotation omitted)). Therefore, the plaintiffs’ motion must be denied.

Accordingly, it is hereby **ORDERED** that the order referring this case to Magistrate Judge Michael J. Hluchaniuk for general case management [dkt. #14] is **TEMPORARILY VACATED**.

It is further **ORDERED** that the plaintiffs’ motion to transfer case [dkt. #128] is **DENIED**.

It is further **ORDERED** that the order referring this case to Magistrate Judge Michael J. Hluchaniuk for general case management [dkt. #14] is **RE-INSTATED**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: May 9, 2012

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 9, 2012.

s/Deborah R. Tofil
DEBORAH R. TOFIL